



PATENT
ATTORNEY DOCKET NO. 056100-5005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)
Pierre BROUN *et al.*)
Application No.: 09/117,921) Group Art Unit: 1638
Filed: March 04, 1999) Examiner: E. McElwain
For: PRODUCTION OF HYDROXYLATED)
FATTY ACIDS IN GENETICALLY)
MODIFIED PLANTS)

MAIL STOP AF

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated April 8, 2003 (Paper No. 26) of the Examiner's final rejection of claims 35-41. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for a two-month extension of time from July 8, 2003 through September 8, 2003. An extension for one month has already been secured.

If an additional extension of time is required, please consider this a Petition therefor.

The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 for payment of the extension of time fee and the Notice of Appeal fee as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: September 8, 2003
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Respectfully submitted,
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